

REMARKS/ARGUMENTS

The final Office Action of January 2, 2009 has been carefully reviewed and the following remarks are responsive thereto. Claims 38-40 have been cancelled without prejudice or disclaimer. Claims 1-9, 33-37 and 41-44 are pending upon entry of the amendment. Entry of the amendment and reconsideration are respectfully requested.

Allowable Subject Matter

Applicant notes with appreciation that indication that claims 1-9, 33-37 and 41-44 are allowable.

Claim Rejections

Claims 38-40 stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. Applicant has cancelled claims 38-40 and thus respectfully request withdrawal of this rejection.

CONCLUSION

Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3000.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: March 2, 2009

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